



D. KENT MICHIE
Insurance Commissioner
Utah Insurance Department

JON M. HUNTSMAN, JR.
Governor

JOHN 'MICKEY' BRAUN, JR., CIE
Assistant Commissioner
Office of the Commissioner

Bail Bond Oversight Board Meeting

Meeting Information

Date: July 16, 2008

Time: Noon

Place: **Capitol Board Room**
(2nd Floor, East end)

Board Members

(Attendees=x)

xDominic Sanone, Chairman
Clayton A. Simms, LLC
xCamille L. Neider
Mickey Braun

xWayne Carlos, Vice-Chairman
xMichael Weddington
Bert Christenson
Megan I. Corrent

Insurance Department Staff

xPerri Babalis
xJilene Whitby

Darrel Powell
xRobert Herrera

Tara Buehner
xConnie Nowland

Tracy Klausmeier

MINUTES

Welcome

Executive Session (Closed to the Public)

- **Complaint / Investigation / Unpaid Forfeiture Report / Robert Herrera**
 - Tara is on maternity leave. There may be more cases yet to be put on the Open Complaint/Investigation Summary sheet. The following are those the department is working on now.
 - #1 just open.
 - #2 has been closed. They were in the right to collect a forfeiture.
 - #3 Mr. Well has not responded to the department's inquiry so Robert will follow-up.
 - #4 the department is considering revoking the license. Currently it is on the AG's desk. It may take 30 days before it completes the process. Channel 2 has called about this agency on another issue. Thomas Hatrick is the owner of the agency. This will probably go to a hearing. A complaint will be sent within the next two weeks.
 - Closed complaints/investigations:
 - #1 Robert asked the complainant for more information but so far he has not been provided with it. Until it is received the complaint has been closed.
 - #2-10 are unpaid forfeitures that have been paid and closed.
- **Power of Attorney / Tracy Klausmeier**

Pending Tracy's presence at meeting.
- **Application / Robert Herrera**
 - **Big Daddy's Bail Bonds**

The address on the application is incorrect, but it is correct on the other papers. The agency is domiciled in Utah. All pending issues have been taken care of. They have filed their forms with Tracy and they have been approved.
 - **Agency Renewals / Robert Herrera**

Six agencies did not renew when due yesterday. Robert provided the names of those that now have expired licenses. They will be noted on the department's website today. If they

- pay then the expiration notice will be withdrawn. They have 30 days to pay. Until then they no bonds should be sold. After 30 days they will need to re-apply for a license, pay an administrative, late payment and filing fee. Perri asked if they should be notified. Robert was concerned about the precedence this would set. Others asked if the jails should be notified. Camille said that once the expiration notices are posted on the website a concerned citizen could let the jails know if they look themselves. Utah has 23 jails. Camille said that a letter to the jails could remind them to check the website. Wayne asked if the Bail Bond Association could call the expired agencies. Yes.
- Camille made a **motion** to move from Executive to Public Session at 12:30pm.

General Session (*Open to the Public*)

- **Adoption of Minutes of Previous Meeting**
Camille **moved** to approve the minutes without change, Wayne seconded it and the vote was unanimous.
- **Approval of Recommended Actions from Executive Session**
The department has proposed that the agency involved in #4 on the Open Complaint Summary be revoking if the collateral is not refunded. Camille made a motion that the department proceed with revocation in a timely manner, Wayne seconded it and the vote was unanimous.
- **Application / Mickey Braun**
 - **Big Daddy's Bail Bonds**
The domicile address and business license have been corrected. Wayne made a **motion** to approve the application, Camille seconded it and the vote was unanimous.
- **Old Business**
 - **Review Comments from Hearing Re: Rules R590-186 & 196**
 - Dominic's was not in 100% agreement with the wording in the rule. He wanted to make additional changes. Wayne said that no one had come up with wording changes.
 - Camille asked if the Association had met regarding the rules or had given input. They did give input. Dominic said a majority of the members wanted a minimum rate.
 - Mike said that the rule would not clean up the way we write bail. He did not believe it is enforceable the way it was written. If the rules were so important to the industry, why weren't there more members at the hearings? The Association did not speak for him or the others that did not agree with the rules.
 - Dominic saw problems with discounting premiums. This is the only way for those trying to get in the business to get business. The rules will not stop the abuses.
 - Camille said that the rules are clear, however, the exceptions are not so clear. Clarify the exceptions but don't throw out the rules. Adopt the 10% minimum then try to decide how to deal with the exceptions.
 - Dominic asked how the department would enforce them? Abuses will continue.
 - Wayne said it will take time to identify those agencies that are discounting and then something could be done. Most agencies feel this is a move in the right direction. Tweak it in the future.
- **New Business**
 - **Yellow Page Advertisements / Dominic**
Dominic asked Robert about if he had received calls about Yellow Page advertisements? Robert said he had not. In recent yellow pages he saw a couple of adds for unlicensed agencies. **Perri suggested he file a complaint.**
- **Adjourn:** Wayne made a **motion** to adjourn at 12:55pm, Camille seconded it and the vote was unanimous.